THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.3041 of 2007

Dated:19.02.2007

Between:

Smt.Gunda Bharata Lakshmi.

…Petitioner

and

The District Collector and others.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.3041 of 2007

ORDER:

The land in Survey No.57 admeasuring Ac.0.86 cents situated at Kovvada Village of Kakinada Rural Mandal in East Godavari District is statedly zeoraiti land. It was owned by Ryluganti Venkat Rao. After his death, his wife Subbayamma, and sons sold the property to Reddipalli Narayana Rao under registered sale deed. He in turn alienated the same in favour of Smt.Yerra Satyanarayanamma, who executed a Will in favour of the vendors of the petitioner. The petitioner purchased the same under registered sale deed dated 01.05.2006. It appears, there were attempts by the villagers to encroach upon the land. The petitioner then filed O.S.No.100 of 2006 on the file of the Court of the Vacation Civil Judge, East Godavari, and obtained temporary injunction in I.A.No.294 of 2006, dated 30.05.2006. The petitioner alleges that in view of this, the villagers approached the Mandal Revenue Officer, who is bent upon dispossessing her without due process of law. It is also alleged that the Mandal Revenue Officer came along with his staff in the last week of January 2007 and threatened to dispossess the petitioner, if necessary, by tampering the records. Apprehending such coercive action, the present Writ Petition is filed.

Learned Assistant Government Pleader for Revenue (General-A)

after getting instructions submits that the Writ Petition is filed on an apprehension and that the Mandal Revenue Officer will follow due process of law if the land of the petitioner is required. The same is recorded.

The Writ Petition is therefore disposed of observing that unless and until the petitioner is given notice and due process of law is followed for taking the land, she cannot be dispossessed by respondents 1 to 3. No costs.

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(V.V.S.RAO, J)

19.02.2007

Note: Issue C.C in three days.

B/o.

vs